



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## OFFICE OF MINE RECLAMATION

801 K STREET • MS 09-06 • SACRAMENTO, CALIFORNIA 95814

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### NOTICE

April 30, 2012

TO: ALL OWNERS OF MINING OPERATIONS

SUBJECT: MINING OPERATION ANNUAL REPORT FOR THE 2011 REPORTING PERIOD

Pursuant to Public Resources Code (PRC) Section 2207(a), an annual report must be completed and filed with the Department of Conservation (Department) and your applicable Surface Mining and Reclamation Act (SMARA) lead agency by July 1, 2012. The associated annual reporting fee is also due to the Department by July 1, 2012, pursuant to the 2011 Fee Schedule adopted by the State Mining and Geology Board (California Code of Regulations, Title 14, Division 2, Chapter 8, Section 3695 *et seq.*). Effective May 1, 2012, you will find the Mining Operation Annual Report form (annual report) for the 2011 reporting period, along with instructions for filling out the annual report form on the Department's website (see below for URL).

Late submittal of the annual report and reporting fee will result in the assessment of a penalty of not less than \$100 or 10 percent of the total amount due, whichever is greater, plus interest at the rate of 1-1/2 percent per month per PRC Section 2207(d).

Regardless of how you manage or conduct your mining operation, an annual report and applicable reporting fees must be submitted for each mining operation until reclamation is certified complete by both your lead agency and this Office.

#### Revised Annual Report Form

Please note that the State Mining and Geology Board approved changes to the annual report form beginning with the 2011 report. **Only this new version will be accepted for the submittal of 2011 information.** As required by law, all information requested on the form must be submitted for the form to be considered complete and timely.

#### Mine Location

Since 1991, the annual report form has provided "no change" (N.C.) boxes for specific requested information. If your previous reports have indicated "no change" for a number of years, please review your operation to verify that the information previously submitted has not changed and is current.

Please note one exception to the use of the N.C. check-off; the recent enactment of Senate Bill 110 (Chapter 253, Statutes of 2011) requires the Office of Mine Reclamation (OMR) to disclose mine locations to the public. To comply with the new law, the amended annual report form asks that information on your operation's location continue to be reported as latitude and longitude,

but with the **added requirement that latitude and longitude now be expressed in a decimal degree format and that this locational information be reported for a point at the front gate/entrance of the mine.**

Mine operators must submit a copy of the entire annual report, including production information to their lead agency. Please note that PRC Section 2207(g) prohibits the release of the annual report's production information by the lead agency or Department to any member of the public.

The Department's OMR periodically publishes a list of mining operations that meet the requirements of PRC Section 2717(b). This list is generally referred to as the AB 3098 list, in reference to the 1992 legislation that established it. Public Contract Code, Sections 10295.5 and 20676 prohibit state agency purchases of mined materials produced by mining operations that are not included on the AB 3098 list. These statutes also prohibit the sale of such materials to local government agencies, including contractors doing work on behalf of, or by contract with, any local agency. Failure to submit an annual report and applicable reporting fees by July 1, 2012, will result in the removal of your mining operation from the AB 3098 list and, as previously noted, the assessment of administrative penalties.

For your ease of access and use, beginning May 1, 2012, the 2011 annual report form will be available electronically in a "fill and print" version on the Department's website at:

[www.consrv.ca.gov/OMR/reporting\\_compliance](http://www.consrv.ca.gov/OMR/reporting_compliance)

If you are unable to access the annual report form via the Department's website at the location listed above, please contact OMR at (916) 323-9198. Should you need to request a paper copy, please allow sufficient time to request and receive it in the mail in order to meet the July 1, 2012 filing deadline.

A completed 2011 annual report form, required attachments, and appropriate annual reporting fee, in the form of a check or money order made payable to the Department of Conservation/OMR, must be mailed to:

**ATTN: Reporting Section  
Office of Mine Reclamation  
Department of Conservation  
801 K Street, MS 09-06  
Sacramento, CA 95814-3529**

If you have any questions, need additional report forms, or would like clarification regarding the annual reporting requirements, please contact OMR at (916) 323-9198.

Sincerely,

Debby Mayberry, Manager  
Reporting Section  
Reporting, Compliance, and Review Unit

cc: Designated Agent